

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR9004-2**

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In re:

Chapter 7

LINDA QUINN,

Case No. 20-15475-JNP

Debtor.

LINDA QUINN,

Plaintiff,

Adv. Case No.

v.

NEW JERSEY HIGHER EDUCATION  
STUDENT ASSISTANCE AUTHORITY and  
WELLS FARGO EDUCATION FINANCIAL  
SERVICES,

Defendant.

**ADVERSARY COMPLAINT**

Plaintiff/Debtor, Linda Quinn, through her counsel, Howard N. Sobel, Esq. of Howard N. Sobel, P.A., by way of Complaint against the Defendants, New Jersey Higher Education Student Assistance Authority and Wells Fargo Education Financial Services, states as follows:

1. Plaintiff/Debtor, Linda Quinn, filed a Petition under Chapter 7 of the Bankruptcy

Code on April 9, 2020. This Court has jurisdiction over this action under 28 U.S.C. §§1334.

This proceeding is a core proceeding in which this Court has authority to enter a final judgment or order.

2. Plaintiff/Debtor, Linda Quinn, included as unsecured debts on Schedule E/F of her Bankruptcy Petition the obligations due to the New Jersey Higher Education Student Assistance Authority and Wells Fargo Education Financial Services, the Defendants in this matter.

3. The debts due Defendants, New Jersey Higher Education Student Assistance Authority and Wells Fargo Education Financial Services, were incurred by Plaintiff as a co-signer for the college education of her daughters, Ashley Quinn Miller and Victoria Quinn.

4. The loans due to Defendants, New Jersey Higher Education Student Assistance Authority and Wells Fargo Education Financial Services, were not for the education of Plaintiff/Debtor, Linda Quinn.

5. The debts due the Defendants, as listed on Ms. Quinn's Bankruptcy Petition, total approximately \$71,317.54.

6. Plaintiff/Debtor, Linda Quinn, is a sixty-five (65) years old woman and is currently unemployed with no income.

7. Plaintiff/Debtor, Linda Quinn, owned a Curves franchise, which was closed in January 2020 after many years in business due to struggling enrollment/sales.

8. Given Plaintiff/Debtor, Linda Quinn's, current financial situation, she is residing with her mother and her mother is paying for their shared household expenses.

9. Plaintiff/Debtor, Linda Quinn, has no current or anticipated available income or

resources with which to pay the aforesaid loans.

10. Moreover, given the current economic situation emanating from the COVID-19 Pandemic, as well as her age, Plaintiff/Defendant's employment prospects are significantly reduced.

11. Plaintiff/Debtor, Linda Quinn, is only one of the guarantors on the loans due Defendants and the remaining obligors/guarantors will remain liable to Defendants on the obligations even if the loans are discharged by Plaintiff/Debtor.

12. The repayment of the loans due Defendants would impose an undue hardship on the Plaintiff/Debtor.

13. As a result, the loans due Defendants from Plaintiff/Debtor, Linda Quinn, should be treated as dischargeable general unsecured debt.

**WHEREFORE**, Plaintiff/Debtor, Linda Quinn, requests that this Honorable Court enter an Order deeming the student loan obligations dischargeable under 11 U.S.C. §523(a)(8), as well as granting Plaintiff/Debtor such other relief as the Court may deem just and proper.

**HOWARD N. SOBEL, P.A.**



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